

1894-088 Chancery Causes: L. C. Younger vs. W. C. Herndon &
Lee Co.

Woodward, Parsons, Hirsh, Bolton, Pennington, Stapleton

CA Debt

T-Property
Migration

-Deed

10

To the Hon. H. S. K. Morrison Judge of
the Circuit Court for Lin County,

Humbly complaining your ora-
tor F. C. Younger, respectfully represents
unto your honor that at the special
instance and request of W. C. Sher-
don on the several days indicated
in the several invoices herewith
filed as a part of this bill, he sold
and delivered to said Sherdon the
goods mentioned in said invoices
amounting in the aggregate to the
sum of \$368.43, - \$225.62 of said
said sum became due on Nov 24th
1893 and the residue thereof \$142.81 be-
came due \$55.08 on Nov 30th 1893 and
\$87.73 will become due on Dec. 30th 1893;
that at his directions all of said goods
were shipped to said Sherdon at Pen-
nington Gap, Va.; that at the time
your orator sold said Sherdon said
goods the records of the County Court
of Lin County show him to be, and
he represented himself to be the owner
of a large quantity of unincumbered
land lying and being in Lin County, in the
Pockett and Crab Orchard Country, -
land conveyed to him by the heirs of
Charles Pennington dec'd., Sarker
Sherdon & John B. Pennington, Tobias
Hughes & wife and John C. Stapleton & wife,
and all of which he was then in the

possession of using as his own.
Copies of the deeds to the land he ap-
peared to be the owner of are here filed
as part of this bill marked

Your orator will further show
unto your honor that a portion of
said goods sold said Herndon as
aforesaid, to wit, those sold & delivered
to him on October 30th 1893, together
with about forty head of cattle, the
goods in his store house at the time, and
also other goods bought about the same
time, ~~from other wholesale merchants~~ ^{from other wholesale merchants} were
on or about the 18th of Nov. 1893
~~xxxx~~ turned over to his father Sarkun
Herndon & brother John P. Herndon,
who are now in the possession of the
same selling & disposing of them; that
said goods and cattle were turned over
to said John P. & Sarkun Herndon with-
out a valuable consideration, or at
least, without a consideration any
thing like the value thereof.

Your orator will further show
unto your honor that said several
sums of money are still unpaid and
are due and will become due at
the times aforesaid; that in a day or
so after said H. C. Herndon transferred
said goods and cattle as aforesaid, he
absconded this State and is now a
non-resident thereof; that to your

orator's great surprise on Nov 10th 1893
one David P. Parsons lodged with the
Clerk thereof and had recorded ~~an~~
 ~~deed~~ in the County Court Clerk's
file of Lin County a deed signed by
said H. C. Sturdon & his wife, dated and
~~acknowledged~~ March 14th 1893,
whereby said Sturdon & wife conveyed
to said Parsons all of his said land
in consideration of \$5000⁰⁰ in hand
paid to said Sturdon, except said Sta-
pleton tract and that part thereof
included in the conveyance of said
Sarkis Sturdon and John B. Pennington
dated 30th day of July 1889; That at
the time your orator sold said Sturdon
said goods and at no time afterward
until said deed was recorded, did
he have any notice whatever of the
existence thereof; & that at any rate
said deed was made without any
consideration being paid down, and
was made for the express purpose
of hindering, delaying and defraud-
ing the creditors of said Sturdon in
the collection of their debts and
especially that of your orator.

Your orator will further show
into your honor that on Nov 10th 1893
said H. C. Sturdon made and acknowl-
edged another paper giving to one Wm.
Woodward a lien on all his land

except the portion before conveyed as
aforesaid to said Parsons and the said
Stapleton tract to secure the sum of
\$675⁰⁰. Your orator avers that this
pretended line is void because volun-
tary and was made for no other pur-
pose than to defraud said Herndon's
Creditors. A copy of the same is here
filed marked "Liii" and prayed to be
considered as a part of this bill.

The premises therefore consid-
ered your orator is advising that
he has rights cognizable in a Court
of equity; that said John P. Herndon
& Sarkis Herndon will be compelled
to account for all of said H. C. Her-
ndon's effects that went into their hands;
that said deed of said Herndon with
to said Parsons and said Liii in favor
of said Woodward will be declared null
and void as to said Herndon's cred-
itors not having notice thereof at the
time they made their debts with
said Herndon and especially will it be
null and void as to your orator.

The prayer therefore of your
orator is that H. C. Herndon, John P.
Herndon, Sarkis Herndon, Wm. Wood-
ward and David Parsons be made
parties defendants to this bill of Complaint;
that they each be required to answer
its several allegations on oath; that

by virtue of the affidavit herewith
filed marked "Affidavit" made pur-
suant to section 2964 of the Code of 1887,
an attachment issue herein and be-
lieved upon said Sheridans effects
and the same held until the future
order of the Court; That said John
D. & Larkin Sheridan especially an-
swer for what, if any thing, & the amount
thereof, said W. C. Sheridan owed them,
when and where they got the money
or other thing which they lent said W. C.
Sheridan time, whereby he became
indebted to them, the date of each item
of indebtedness, the number ^{kind} and val-
ue of said Cattle, an itemized state-
ment, ~~an~~ an invoice of all the goods ^{& chattels},
of ever kind and the price they gave
therefor, which was turned over to them
or either of them by said W. C. Sheridan;
That said D. Parsons specially
answer the true amount, if any
thing, he has paid on the land men-
tioned in said deed of March 14th 1893;
when, where and from where he obtained
the money or other thing which he
paid said Sheridan on said Land, how
much if any thing he still owes them;
That said Wm. Woodward will specially
answer on oath when and for what
said W. C. Sheridan became indebted to
him, the true amount thereof and when

it because or ~~will~~ became due and when
where and from ^{whom} he obtained the money
or other thing whereby said Herndon
became indebted to him; that on a
final hearing of this case a judg-
ment be given your orator for said
sum of money; that said debt, lien
and transfer of goods & cattle be an-
nulled & set aside and that enough
thereof be sold to satisfy your or-
ator said claim & the costs of this suit;
that an order of publication be made
for W. C. Herndon as the law requires
in such cases. And that all other, fur-
ther and general relief be granted
your orator as the nature of his
cause may require. Your orator
forgot to state it at the proper place,
but he here asserts it, that while it
appears in said stipulation and that a
lien was retained on the land con-
tained therein until paid for, this
lien has long ago been paid in full;
that there are no other liens ~~on~~ any
of said real estate than that before
mentioned and that the rents and
profits of said land will not pay said
debt of your orator & the costs of this
suit in five years. May process
issue & And your orator will ever
pray &c

Primington Bros p. y.

S. C. Youner
vs Bill In Chancery

H. C. Herndon et al

1894. 1st Term Rules Bill Filed, Spd
Exec on House Dept. & D. P. & House Resolutions
" 2nd Term R. - D. P. & House Resolutions
" 1st Feb R. - Court for O. P.
" 2nd " R. - O. P. Completed & set for
hearing by Plff.
" June Term Decree

C 913
atly 15.00
2.50
WMO 2.50
Print 5.00
Co 5.75
\$39.88

C 91

+ 6 3622

C 909
S 2.50
WMO 2.50
Printer 5.00
Co 5.75
atly 15.00
\$39.88

Defto Costs
C 160

I DO NOT PAY EXPRESS CHARGES ON MONEY. I am not responsible for goods after taking receipt in good order.
 All Goods shipped "RELEASED" unless otherwise instructed.

Richmond, Va Aug 2nd 1893

Mr H. G. Herndon

BOUGHT OF

Jay's Va
L. C. YOUNGER,

WHOLESALE GROCER

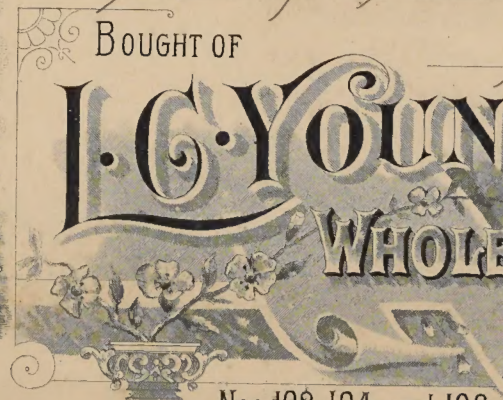
& Dealer in Cigars
 and Tobacco.

Nos. 102, 104 and 106
 VIRGINIA STREET.

TERMS

90 days or 7 per cent off for Cash in TEN DAYS

INTEREST CHARGED ON ALL BILLS NOT PAID AT MATURITY.



1 Blue Orange rider

52 70

\$ 36 40

MARYLAND LITHO. CO. BALTO.

I DO NOT PAY EXPRESS CHARGES ON MONEY. I am not responsible for Goods after taking receipt in good order.
All Goods shipped "RELEASED" unless otherwise instructed.

Richmond, Va. Sept 7th 1893

Mr H. J. Herndon

Bought of

L. C. YOUNGER,

WHOLESALE GROCER

& Dealer in Cigars
and Tobacco.

Nos. 102, 104 and 106
VIRGINIA STREET.

TERMS

30 days or 1 per cent off for Cash in TEN DAYS

INTEREST CHARGED ON ALL BILLS NOT PAID AT MATURITY.



1 Box #5 Sugar

Less freight 361⁰⁰ 47¹⁰

341 54⁷/₂ 18 67

1 69

16 98

I DO NOT PAY EXPRESS CHARGES ON MONEY. I am not responsible for Goods after taking receipt in good order.
All Goods shipped "RELEASED" unless otherwise instructed.



Richmond, Va. Sept 7th 1893
Mr. H. L. Herndon

BOUGHT OF

L.C. YOUNGER,
WHOLESALE GROCER

& Dealer in Cigars
and Tobacco.

Nos. 102, 104 and 106
VIRGINIA STREET.

TERMS

60 days or 2 per cent off for Cash in TEN DAYS

INTEREST CHARGED ON ALL BILLS NOT PAID AT MATURITY.

1 Bag # 11 coffee

prayer

1.37	19 1/2	26	72
			10
		26	82

I DO NOT PAY EXPRESS CHARGES ON MONEY. I am not responsible for Goods after taking receipt in good order.
All Goods shipped "RELEASED" unless otherwise instructed.

Richmond, Va. Sept 25th 1893

Mr H. L. Herndon

BOUGHT OF

J. C. YOUNGER,

WHOLESALE GROCER

& Dealer in Cigars
and Tobacco.

TERMS

60 days or 2 per cent off for Cash in TEN DAYS

Nos. 102, 104 and 106
VIRGINIA STREET.

INTEREST CHARGED ON ALL BILLS NOT PAID AT MATURITY.

1	Box Berkshire Tobacco	8 ^s	32	8	24	27	6	48
1	" Owl Black Boy "	7 ^s	25	5	20	26	5	20
1	lead 7 up	"	252	6 ^s 42	21	35	7	35
2	Box Tracy	"	32	8	24	39	9	36
1	" Bird Nest	"	52	4 ^s 11	41	30	12	30
1	lead Honey Truck	"	13	12 ^s 3	10	45	4	50
1	" Red Port	"	13	6 ^s 3	10	38	3	80
2	Bags A 27 Coffee				268	21 1/4	56	95
1/2	Gro R R M 10z Cand Sweet Snuff					425	2	13
1	the Orange cider				53	70	37	10
	Orange							25
							145 42	

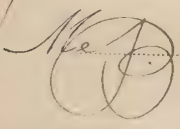
L. C. Younger

vs } Luovian

Th. C. Hudson

STATEMENT.

Richmond, Va., Nov 24 1893


 H. P. W. C. Herndon & Co.
 Agents
 TO L. C. YOUNGER, DR.

Nos. 102, 104 & 106 VIRGINIA STREET.

Interest charged on all Bills after Maturity.

Our	30	To Merchandise,	300	5508
"	"	"	600	8773
				14281

State of Virginia - City of Richmond, to wit:

Personally appeared before me, E. B. Thoma,
 a Notary Public in and for the City aforesaid, in the State of
 Virginia, Reuben, and made oath that he is agent
 and Bookkeeper for L. C. YOUNGER, mentioned in
 the annexed account against H. P. Herndon;
 that the said H. P. Herndon
 is justly indebted to L. C. YOUNGER in the sum of
One hundred forty two ⁸¹/₁₀₀ Dollars;
 that the same is justly due, and that no part of said sum has
 ever been paid, and that the plaintiff claims interest on the same
 from the day of Maturity, 189 , and that there
 is no just offset or counter claim against the same nor any legal or
 equitable defence thereto; and further, that the annexed account is
 a true and correct transcript of and from the books kept by L. C.
 YOUNGER and of the several entries therein made at the time
 of the respective sales.

Reuben
 Subscribed and sworn to before me, in my
 City aforesaid, this 24th day of
Nov, 1893

In witness whereof I have hereunto set my
 hand and official seal.

E. B. Thoma
 Notary Public.

I DO NOT PAY EXPRESS CHARGES ON MONEY. I am not responsible for goods after taking receipt in good order.
All Goods shipped "RELEASED" unless otherwise instructed.

Richmond, Va Oct 30th 1893

Mr W. F. Herndon

BOUGHT OF

Columbia Va
J. C. YOUNGER,
WHOLESALE GROCER

& Dealer in Cigars
and Tobacco.

Nos. 102, 104 and 106
VIRGINIA STREET.

TERMS

60 days or 2 per cent off for Cash in TEN DAYS

INTEREST CHARGED ON ALL BILLS NOT PAID AT MATURITY.

3 Bags #2 Coffee
1 doz 3 pring fig Broom
1 pring R. F. Soda

395	20 ³ / ₄	81	92
		1	75
112	3 ⁵ / ₈	4	06
		87	73



I DO NOT PAY EXPRESS CHARGES ON MONEY. I am not responsible for goods after taking receipt in good order.
 All Goods shipped "RELEASED" unless otherwise instructed.

Richmond, Va. Oct 30th 1893

Mr H. F. Herndon

Bought of

L. C. YOUNGER,

WHOLESALE GROCER

& Dealer in Cigars
 and Tobacco.

Nos. 102, 104 and 106
 VIRGINIA STREET.



TERMS

30 days or 1 per cent off for Cash in TEN DAYS

INTEREST CHARGED ON ALL BILLS NOT PAID AT MATURITY.

1 Box Fat Backs

Drayage

510 10⁹/₄ 54 83

25

\$515 08

L. C. Younger

vs } Invoice

H. C. Herndon

STATEMENT.

Richmond, Va., Nov 24 1893

McJ N C Henderson
Cynthia
 TO L. C. YOUNGER, DR.

Nos. 102, 104 & 106 VIRGINIA STREET.

Interest charged on all Bills after Maturity.

Aug 2	To Merchandise,	903	36 40
Sept 7	"	303	16 98
"	"	603	26 82
20	"	"	145 42
			220 62
			142 81
			368 43

State of Virginia - City of Richmond, to wit:

Personally appeared before me, *E. P. Thurman*,
 a Notary Public in and for the City aforesaid, in the State of
 Virginia *Robert Cantle*, and made oath that he is agent
 and *Bookkeeper* for L. C. YOUNGER, mentioned in
 the annexed account against *H. F. Henderson*;
 that the said *H. F. Henderson*
 is justly indebted to L. C. YOUNGER in the sum of
Two hundred twenty five & 100/100 Dollars;
 that the same is justly due, and that no part of said sum has
 ever been paid, and that the plaintiff claims interest on the same
 from the *24th* day of *Nov*, 1893, and that there
 is no just offset or counter claim against the same nor any legal or
 equitable defence thereto; and further, that the annexed account is
 a true and correct transcript of and from the books kept by L. C.
 YOUNGER and of the several entries therein made at the time
 of the respective sales.

Robert Cantle

Subscribed and sworn to before me, in my
 City aforesaid, this *24th* day of
Nov, 1893

In witness whereof I have hereunto set my
 hand and official seal.

E. P. Thurman

Notary Public.

L.C. Younger Compt.

vs.

Wm C. Herndon et al Defts

In Chancery

The depositions of L N Bolton
taken before me Atty. General
a notary public in and for the County of Lee
and State of Virginia, pursuant to the
notice hereto annexed at the office of
E. W. Remington in the town of Remington
Gap in said County and State on the 6th
day of February, 1894 between the hours
of 7 o'clock A. M. and 8 o'clock
of that day to be read as evidence in
behalf of L. C. Younger in a certain
suit in equity now pending in the Cir-
cuit Court of Lee County, Virginia, wherein
Wm C. Herndon, John P. Herndon, Lehen
Herndon, Wm Woodward, David P. Parsons
and John C. Stapleton are defendants and
said L. C. Younger is plaintiff
Present E. W. Remington Atty for plaintiff
and

The witness L. N. Bolton after being
duly sworn deposes as follows:

Ques. 1 Give your name, residence, age
and occupation.

Ans. L. N. Bolton. Age. 49 years. Bristol Tenn.
occupation traveling salesman for Le Younger

Ques. 2 What connection, if any you may have
with the plaintiff in this suit.

Ans. I am now and have been for
some 6 years traveling salesman
for said plaintiff

Ques. 3. State whether the defendant, Wm. C. Herndon, ever made any statements to you, as the agent of said plaintiff, in regard to his assets; if so, when, and what were his statements in relation thereto.

Ans. At the house of W. C. Herndon, in Lubbock, I took from said Herndon, his order for the goods mentioned in an itemized statement filed in said plaintiff bill. At the time that I took his first and last order, I remember that he seemed to make a great deal of fuss in telling me about his assets. He told me that he was the owner of the land on which he lived, and other land aggregating some twelve hundred acres, and for which he had been offered the sum of \$15,000. That he owned some forty head of cattle, and some 40 or 50 acres of millet hay that he was putting up at the time and his stock of goods, &c. I then believed his statements to be true and thereupon assented to the plaintiff my firm belief that said Herndon was good for his debts.

Ques. Did you or not at the time you took his order for said goods, or

at any time before their shipment
and delivery, have any knowledge
of said W.C. Herndon's conveyance
of the land on which he lived, by deed
dated March 14th 1893 to one David
J. Parsons.

Ans.

I had no knowledge of the existence of
such a deed until about the
15th of Nov 1893. If I had have
in knowledge of the existence of
such a deed I would not have
sold him the said goods on
credit on the 20th day of Sept 1893
said Herndon told me that
he had sold quite a lot of ^oke
timber off of his land and
expected to go pay for same
in a few days and would
pay L. B. Trotter a bill that
would be due in a few days
after that day.

And further this deponent
swears.

L. N. Bolton,

Virginia Lee Catowit,

I A. B. Yau a notary Public for the
County of Lee in the said state do hereby certify
that the foregoing deposition of L. N. Bolton
was duly taken sworn to and subscribed
before me at the time and place and
for the purpose therein mentioned. Given
under my hand this 6th day of February
1894

A. B. Yau Not Pub.

L. C. Younger
vs. } Depositions
W. C. Herndon et al

July 7th 1894 Received
by mail in good condition
and filed this day
A. B. Munsey Clerk

For aff. & att. notary 75¢

L. C. Younger

J.S.

H. C. Sheridan & al.

To John P. Tucker, & H. C. Sheridan, Deeds
P. Tucker, H. C. Sheridan & John P. Tucker
at the office of J. C. Younger

Take notice that on Feb. 6th 1894,

at the office of C. H. Pennington in the town of
Flemington N.J. I will proceed to take the
depositions of L. N. Ballou and others to
be read in evidence on behalf of L. C. Younger
in a certain Chancery cause now pending in the
District Court for the County of N.J. wherein
~~the~~ L. C. Younger is Plaintiff and H. C.
Sheridan & al. are Defendants. And if
from any cause the said depositions are
not begun or being begun not completed
the same will be continued from day to
day & from time to time & from place to place
if deemed until the same is completed.
You may attend and cross-examine if you
wish -

This June 24, 1894

L. C. Younger
for Flemington N.J.
J. C.

L. C. Younger *Atty*
vs. Notice to the Depositor

H. C. Henderson et al *Def*
~~~~~

Executed on the 26<sup>th</sup>  
day of January, 1894 by de-  
positing true copies of the  
within notice to John P. Henderson,  
J. M. Henderson & David P.  
Parsons in person this  
Jan. 27<sup>th</sup> 1894.

W. M. Pennington

Virginia,  
Lin County, to wit:

I, W. M. Pennington a notary public in and  
for the County & State aforesaid, do certify  
that W. M. Pennington whose name is  
signed to the above return, made oath  
before me in said County aforesaid & to  
the truth of said return. This Jan. 27<sup>th</sup> 1894  
E. H. Pennington



In the clerk's office of the circuit court  
of the county of Lee on the 19th day of  
January 1894.

McTeer Pane Hood & Co. Plff }  
against } In Ch'y.  
W. C. Herndon et al Deft

The object of this suit is to 1st to set aside and annul the deed of W. C. Herndon and wife to Dania P. Parsons dated March 14th 1893, 2nd to set aside and declare void the deed made by W. C. Herndon and wife to Wm Woodward dated Nov'r 10th 1893, 3rd to annul the transfer of goods and chattels made by W. C. Herndon to John P. and Larkin Herndon on or about Nov'r 10th 1893; and 4th that a judgment be given in favor of the plff against the defts for the amount mentioned in the bill and the same be satisfied out of said property thereon.

And an affidavit having been made and filed with the defendant W. C. Herndon in his own behalf at the State of Virginia, it is ordered that such affidavit be published in the Lee County Republican for four successive weeks, ending the 4th day of Feb'y 1894. And it is further ordered that a copy of the said publication be posted at the front door of the court house of this county at the first day of the next term of the county court.

A copy - Week

A. B. Nix Clerk

G. A. Ewing p. c.

5-11

I, W. P. Dryden & Sons pub

isher of the LEE COUNTY REPUBLICAN  
a weekly newspaper, published in the  
town of Jonesville, county of Lee, and  
State of Virginia, do hereby certify that  
the foregoing Order of Publication was  
duly published in the above named pa-  
per for four successive weeks, ending the

4th day of Feb 1894.

for Sam L. Dryden

Publisher, LEE COUNTY REPUBLICAN



G. A. Caring (2)



State of Virginia,

City of Richmond, to wit:-Pursuant to notice, herewith attached, I proceeded on this day, Monday the 5th of February 1894, at 12 o'clock M. at the office of M. Millhiser & Co, to take the deposition of S. Hirsh a member of said firm, to be used in evidence in the case of M. Millhiser & Co Vs W.C. Herndon, now pending in the Circuit Court of Lee Co, Va, said S. Hirsh being first duly sworn according to law, made the following answers to the interrogatories:-

1st Question:-

What is your name, Age, Residence, and occupation?

Answer.

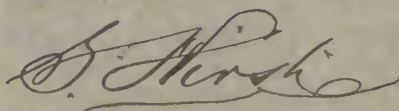
S. Hirsh. 51 years of age. a resident of this City. A member of the firm of M. Millhiser & Co, Merchants doing business in this City.

2nd Question:-

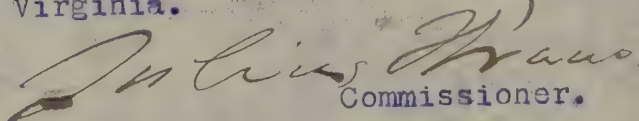
Do you know anything in regard to the filling of an order which was received from W.C. Herndon, for merchandise?

Answer.

An order was received from W.C. Herndon, which was filled with my consent, I being the credit man of our firm,. The order was filled after receiving the statement from W.C. Herndon, which is herewith attached, marked Exhibit "A", and his credit was established on the faith of this statement. We have never heard or received any notice from him, which would contradict any part of this statement. And further the deponent saith not.



Subscribed and sworn to me before me this 5th day of February 1894, in the City of Richmond, State of Virginia.

  
Commissioner.



M. Millhiser & Co.

AGAINST

W. C. Herndon et al.

To W. C. Herndon. Larkin Herndon. John P. Herndon Win Woodward

David E. Parsons and John C. Stapleton

Take notice that on the

5<sup>th</sup>

day

of

February  
in the City of Richmond

1894

at the office of

M. Millhiser & Co.

County, State of

Virginia

I will proceed to take the deposition of

M. Millhiser

Sir and others  
to be read as evidence on behalf of

M. Millhiser & Co.

in a certain suit in Equity

now pending in the Circuit Court of Lee

County, State of Virginia wherein said

M. Millhiser & Co.

Plaintiff and you and each of you are Defendants

And if from any

cause the taking of said deposition

are

not begun on that day, or being begun not complete, the same will be

continued from day to day or from time to time and, if desired from place to place, until the same are complete. You

may attend and cross-examine if you wish.

January 4

1894

Very Respectfully,

M. Millhiser & Co.

Per Cunningham Bros  
Cornwall



Received by mail in good  
condition February the 3<sup>rd</sup>  
1894 and filed on the same  
day A. B. Murray Clerk

M. Melhuiser vs  
Notice to Take  
Depositions

H. C. Herndon et al

Executed on the 12<sup>th</sup> day of  
June, 1894 by delivering my  
Copy of this within notice  
to each of the following named  
persons, to wit: John  
P. Herndon, Sarker  
Herndon, David P. Parsons  
John C. Stapleton and  
Wm. Woodward.

Ed. W. Pennington

Virginia, Su. County, to wit:

The foregoing return  
signed by Ed. W. Pennington  
as his duty sworn to before  
me by him in my County  
aforesaid, Given under  
my hand this June, 1<sup>st</sup> 1894

Ed. W. Pennington  
Notary Public



Mess. M. MILLHISER & CO.,

Richmond, Va.

1893

GENTLEMEN:—Below we submit Statement of our financial condition at this time.

RESOURCES:

|                                                  |                                              |   |   |   |   |   |          |
|--------------------------------------------------|----------------------------------------------|---|---|---|---|---|----------|
| Cash on hand,                                    | -                                            | - | - | - | - | - | 19200.00 |
| Accounts and Notes, good,                        | -                                            | - | - | - | - | - | 7300.00  |
| Accounts and Notes, doubtful,                    | -                                            | - | - | - | - | - | 3000.00  |
| Merchandise, on hand,                            | -                                            | - | - | - | - | - | 2000.00  |
| House and Lot, in whose name and where situated, | <u>W. C. Herndon Cynthia Va</u>              |   |   |   |   |   | 2000.00  |
| Farm, in whose name and where situated,          | <u>Cynthia Va. all in name W. C. Herndon</u> |   |   |   |   |   |          |
| Other Personal Property, consisting of           | <u>Cattle Horses wagon farm implements</u>   |   |   |   |   |   | 750.00   |
| Total Resources,                                 | -                                            | - | - | - | - | - |          |

LIABILITIES:

|                            |                  |   |   |   |   |             |   |
|----------------------------|------------------|---|---|---|---|-------------|---|
| Borrowed Money,            | -                | - | - | - | - | 8321.00     | - |
| Merchandise,               | <u>owing for</u> |   |   |   |   | 200.00      |   |
| Mortgage on House and Lot, | -                | - | - | - | - | <u>none</u> |   |
| Mortgage on Farm,          | -                | - | - | - | - | <u>none</u> |   |
| All other Indebtedness,    | -                | - | - | - | - | <u>none</u> |   |
| Capital,                   | -                | - | - | - | - |             |   |

Insurance on Stock, \$ none

Exhibit  
"A"  
Julius Straus  
Commissioner

Signed,

Address,

W. C. Herndon  
Cynthia, Va



The deposition of L. C. Jannet taken before  
me Frank M. Wood a notary public for the  
City of Richmond in the State of Virginia on  
the 1st day of February 1894 at the office of  
L. C. Jannet 102, 104, & 106 Virginia Street in  
the City of Richmond, State of Virginia, pursuant  
to notice hereto attached to be read as  
evidence in behalf of the plaintiff in a  
certain suit in equity now pending in the  
Circuit Court of Lee County in which  
L. C. Jannet is plaintiff and W. C. Herndon  
Larkin Herndon, John P. Herndon, Wm Woodward  
David P. Parsons and John C. Stapleton are defendants.



Office of L.C.Younger,

102, 104 ,106 Virginia St.,

City of Richmond, Va.

11:30 O'clock A.M.

Present: E.B.Thomason Esq. for plaintiff.

No appearance for defendant.

L.C.Younger, a witness of lawful age, being first duly sworn deposes and says as follows:

Lst. Q. by counsel State your name, age, residence and occupation.

Ans. L.C.Younger; 40 years, Richmond, Va. Wholesale Grocer.

2nd. Q. by same. Please state whether or not W.C. Herndon of Cynthia, Lee County, Va. ever bought any goods from you if so please state the amount of the bills when made upon what terms and whether he or any one else for him has ever paid the said bills or any part thereof.

Ans. On August 2nd. I sold him \$36.40 90days time this bill was due on October 31st.; on Sept. 7th. I sold him another bill of goods on 30 days time amounting to \$16.98 this was due Oct. 7th. On Sept. 7th. I sold him another bill on 60days time amounting to \$26.82 this was due Nov. 6th.; on Sept 25th. I sold him another bill on 60 days time, amounting to \$145.42, this bill was due Nov. 24th. Oct. 30th. I sold him another bill on 30 days time amounting to \$55<sup>03</sup> this was due Nov. 29th. On Oct. 30th. I sold him another bill on 60days time amounting to \$87.73 this bill was due Nov. 29th., making a total in all now due me by W.C. Herndon of \$368.43. I file an itemized statement showing the account in full with the items



purchased marked Exhibit "A" as a part of this deposition. No part of said bills have ever been paid by Herndon or any one else.

3rd.Q. Please state from what date you claim interest.

Ans. I claim interest from the maturity of each bill as shown on the statement filed as Exhibit "A".

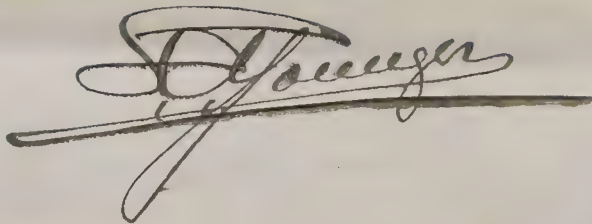
4th.Q. Please state from whom you received these orders and any circumstances connected therewith showing the solvency of the said W.C. Herndon.

Ans. I received the orders through my salesman L.N. Bolton.

5th.Q. Please state whether or not you had any actual notice of a deed made by W.C. Herndon to David Parsons and dated March 14th., 1893 and whether you would have sold these goods to him had you known the existence of this deed.

Ans. I had no knowledge of the deed whatever. Had I known of the existence of such deed I would have investigated the nature of the deed carefully as well as his financial standing before shipping the goods. Herndon was represented to me as being the owner of valuable real estate and a desirable credit risk.

1  
*had I know of its existence*  
More especially would I have investigated this deed as about this time Mr. Herndon was buying more freely than ever before, in fact the present account is the largest ever due by him <sup>to me</sup> at one time.  
And further this deponent saith not.





State of Virginia  
City of Richmond

J. Frank W. Wason, a notary

public for the City of Richmond do certify that  
the foregoing deposition of L. C. James was  
duly sworn to, taken and subscribed before me at  
the time and place mentioned therein.

Witness my hand this 10<sup>th</sup> day of February 1894

Frank Wason

Notary Public

Notary's fee

\$1.00 paid by plaintiff

Wason 100



L. C. Young &

v.

W. B. Herndon & Co

Deponer, L. C. Young

Received by mail in good  
condition March the 1st 1894  
and filed  
C. B. Munsey Clerk



Folio 657

# STATEMENT.

Richmond, Va., 189

Mr. W. C. Stenson

TO L. C. YOUNGER. DR. Va.

Nos. 102, 104 & 106 VIRGINIA STREET.

Interest charged on all Bills after Maturity.

|         |                 |     |       | Due     |
|---------|-----------------|-----|-------|---------|
| Aug 2   | To Merchandise, | 900 | 3640  | Oct. 31 |
| Sept 7  | "               | 300 | 1698  | " 7     |
| "       | "               | 600 | 2682  | Nov. 6  |
| 25      | "               | "   | 14542 | " 24    |
| Oct. 30 | "               | 300 | 5508  | " 29    |
| "       | "               | 600 | 8773  | Dec. 29 |
|         |                 |     | 36843 |         |

Shenandoah  
Albany  
Va.



I DO NOT PAY EXPRESS CHARGES ON MONEY. I am not responsible for Goods after taking receipt in good order,  
All Goods shipped "RELEASED" unless otherwise instructed.

Richmond, Va. Aug 2<sup>nd</sup> 1893

Mr H. C. Henderson

BOUGHT OF

**J. C. YOUNGER,**

**WHOLESALE GROCER**

& Dealer in Cigars  
and Tobacco.

Nos. 102, 104 and 106  
VIRGINIA STREET.

**TERMS**

90 days or 2 per cent off for Cash in TEN DAYS

INTEREST CHARGED ON ALL BILLS NOT PAID AT MATURITY.

1 Box orange cider

52 70

36 40

Exh. a. w.



I DO NOT PAY EXPRESS CHARGES ON MONEY. I am not responsible for Goods after taking receipt in good order.  
All Goods shipped "RELEASED" unless otherwise instructed.

Richmond, Va. Sep 7 1893

Mr W. C. Curdum

Cynthia Va

BOUGHT OF

L. C. YOUNGER,

WHOLESALE GROCER

& Dealer in Cigars  
and Tobacco.

Nos. 102, 104 and 106  
VIRGINIA STREET.



30 days or 1 per cent off for Cash in TEN DAYS

INTEREST CHARGED ON ALL BILLS NOT PAID AT MATURITY.

|   |                   |            |         |
|---|-------------------|------------|---------|
| 1 | B. & B. #5 Sugar  | 341 54 1/2 | 18 07   |
|   | Less Tax 301 @ 47 |            | 169     |
|   |                   |            | \$169 8 |
|   | Chester A'        |            |         |
|   | Shelton 400       |            |         |



*I DO NOT PAY EXPRESS CHARGES ON MONEY. I am not responsible for Goods after taking receipt in good order.  
All Goods shipped "RELEASED" unless otherwise instructed.*



Richmond, Va. Sep 7 1893

BOUGHT OF *Carroll & Co*

BOUGHT OF

# L. C. YOUNGER,

# WHOLESALE GROCER

& Dealer in Cigars  
and Tobacco.

and Tobacco.

Nos. 102, 104 and 106  
VIRGINIA STREET

## TERMS

TERMS  
 60 days or 7 per cent off for Cash in TEN DAYS

*INTEREST CHARGED ON ALL BILLS NOT PAID AT MATURITY.*

|   |          |        |     |      |    |    |
|---|----------|--------|-----|------|----|----|
| 1 | Bag # 11 | Excess | 137 | 19/2 | 20 | 00 |
|   |          | Drage  |     |      |    | 10 |
|   |          |        |     |      | 26 | 82 |



I DO NOT PAY EXPRESS CHARGES ON MONEY. I am not responsible for Goods after taking receipt in good order.  
All Goods shipped "RELEASED" unless otherwise instructed.

Richmond, Va. Sept 25<sup>th</sup> 1893

Mr H. J. Herndon

BOUGHT OF

L. C. YOUNGER,  
WHOLESALE GROCER

& Dealer in Cigars  
and Tobacco.

Nos. 102, 104 and 106  
VIRGINIA STREET.

TERMS

60 days or 2 per cent off for Cash in TEN DAYS

INTEREST CHARGED ON ALL BILLS NOT PAID AT MATURITY.



|                                      |                |    |     |        |     |    |
|--------------------------------------|----------------|----|-----|--------|-----|----|
| 1 Box Berkshire Tobacco              | 8 <sup>3</sup> | 32 | 24  | 27     | 6   | 48 |
| 1 " Our Black Boy do                 | 7 <sup>3</sup> | 8  | 20  | 26     | 5   | 20 |
| 1 lead Trip do                       |                | 25 | 21  | 36     | 7   | 36 |
| 2 Box Honey do                       |                | 5  | 24  | 39     | 9   | 36 |
| 1 " Mid West do                      |                |    | 41  | 30     | 12  | 30 |
| 1 lead Honey Shuck do                |                |    | 10  | 45     | 4   | 50 |
| 1 " Cedar Park do                    |                |    | 10  | 38     | 3   | 80 |
| 2 Bags A 27 coffee                   |                |    | 268 | 21 1/4 | 56  | 95 |
| 1/2 lbs R. A. Mies 10z Cambric Snuff |                |    |     | 4 25   | 2   | 13 |
| 1 Box Orange Sides                   |                |    | 53  | 70     | 37  | 10 |
|                                      |                |    |     |        | 25  |    |
|                                      |                |    |     |        | 145 | 42 |



I DO NOT PAY EXPRESS CHARGES ON MONEY. I am not responsible for Goods after taking receipt in good order.  
All Goods shipped "RELEASED" unless otherwise instructed.

4

Richmond, Va. Oct 30<sup>th</sup> 1896

Mr H. J. Hendon

BOUGHT OF

L. C. YOUNGER,

WHOLESALE GROCER

& Dealer in Cigars  
and Tobacco.

Nos. 102, 104 and 106  
VIRGINIA STREET.

TERMS

30 days or 1 per cent off for Cash in TEN DAYS

INTEREST CHARGED ON ALL BILLS NOT PAID AT MATURITY.

MADE IN U.S.A.

1 Box Fat Backs

Drayage

510 10<sup>3</sup>/<sub>4</sub> 57 83

25

551 08

Chas. A.

Palmer

W.P.



I DO NOT PAY EXPRESS CHARGES ON MONEY. I am not responsible for Goods after taking receipt in good order.  
All Goods shipped "RELEASED" unless otherwise instructed.

Richmond, Va. Oct 30<sup>th</sup> 1893

Mr. H. J. Henderson

BOUGHT OF

L. C. YOUNGER,

WHOLESALE GROCER

& Dealer in Cigars  
and Tobacco.

Nos. 102, 104 and 106  
VIRGINIA STREET.

TERMS

60 days or 2 per cent off for Cash in TEN DAYS

INTEREST CHARGED ON ALL BILLS NOT PAID AT MATURITY.

3 Bags #2 coffee  
1 doz Optima Reg Broom  
1 Reg Rising Sun Soda

|      |                                |    |    |
|------|--------------------------------|----|----|
| 39.5 | 20 <sup>3</sup> / <sub>4</sub> | 81 | 92 |
|      |                                | 1  | 76 |
| 1.12 | 25 <sup>5</sup> / <sub>8</sub> | 4  | 06 |
|      |                                | 87 | 73 |

Exhibit A

Plutonium  
up



*S. C. Younger*

AGAINST

W. C. Herndon et al

To W. C. Herndon. Larkin Herndon. John P. Herndon Wm Woodward

David B. Parsons and John C. Stapleton

Take notice that on the 1<sup>st</sup> day

of February 1894 at the office of said *S. C. Younger* on

102, 104 + 106 Virginia Street in the City of Richmond

City, State of Virginia *S. C. Younger and others* will proceed to take the deposition of

to be read as evidence on behalf of

*said S. C. Younger*

in a certain suit in Equity now pending in the Circuit Court of Lee

County, State of Virginia wherein said

Plaintiff and you and each of you are Defendants and if from any

cause the taking of said depositions are not begun on that day, or being begun not complete, the same will be continued from day to day or from time to time and if desired from place to place, until the same are complete. You may attend and cross-examine if you wish.

January 4<sup>th</sup> 1894

Very Respectfully,

*S. C. Younger by*  
*Pennington Bros*  
*Counsel*



F. C. Younger

vs } Notice to Take  
Depositions

H. C. Herndon et al

Executed by delivering  
on the 13<sup>th</sup> day of Jan 1874  
Copies of the within  
notice to Esq. Herndon,  
John P. Herndon,  
Mr. Howard, David  
P. Parsons and John C.  
Stapleton, but not ex-  
ecuted as to H. C. Her-  
ndon.

W. M. Cunningham  
Virginia

Lee County

The foregoing return  
on writing was this day  
sworn to before me in  
my capacity of Justice of the  
said W. M. Cunningham.  
This the 13<sup>th</sup> day of Jan 1874

E. H. Cunningham  
Notary Public



Virginia. County of Lee to wit

This doyle W. Pennington agent for  
L. Younger. Plaintiff in a certain  
Chancery Cause now pending in the Circuit  
Court for Lee County against W. C. Herndon  
et al to recover a certain debt from  
said Herndon personally appeared  
before me before a notary Public in &  
for the said County of Lee in the State of  
Virginia, & in my County aforesaid  
made oath that: 1<sup>st</sup> he verily believes  
the said Plaintiff's claim is just, 2<sup>nd</sup>  
that he believes the said Plaintiff  
is entitled to recover at least  
in said suit against said Herndon a  
debt for the sum of \$368<sup>43</sup>, \$225<sup>62</sup>  
of which sum became due on Nov.  
22/93. And \$55<sup>04</sup> became due on Nov 30-  
1893. & the residue \$87<sup>73</sup> <sup>will</sup> became due  
on Decr 30/93. 3<sup>rd</sup> that to the best  
of Affiant's belief said Herndon is  
not a resident of this State, but, has  
affixed therein in the County of Lee -  
4<sup>th</sup> that said Herndon is converting  
has converted or is about to convert his  
property or some material part thereof  
into money securities & evidences of  
debt with the intent to delay Herndon



and defrauded his Creditors;—  
I<sup>th</sup> That the said Herndon has  
assigned & disposed of or is  
about to assign & dispose of his  
property or some part thereof with  
the intent to delay hinder and  
defraud his Creditors and especially  
the said L.C. Younger. Given under  
my hand this 7<sup>th</sup> day of November  
1893.

Wm. C. Younger M.D.  
L.C. Younger

L. C. Younger  
vs 3 Affidavit

W. C. Herndon et al

Filed Dec. 7th 1894

A. B. Muncey  
Clerk







and given and

all the land hereby conveyed. Witness the following at  
test and seal the day and day first written,

Witness my hand and seal this 1st day of March 1881.

Notary Public for the State of Virginia

State of Virginia, County of Lee, ss:

I, J. M. Perkins, a Justice of the Peace in and for

the County of Lee, State of Virginia, do hereby certify that the within and foregoing is a true and correct copy of the original of the same as the same was presented to me for recording and as the same was recorded in my office on the 1st day of March 1881.

Witness my hand and seal this 1st day of March 1881.

Notary Public for the State of Virginia

Virginia Lee County. *Copy - Teste: J. M. Perkins*

This is to certify that the within and foregoing is a true and correct copy of the original of the same as the same was presented to me for recording and as the same was recorded in my office on the 1st day of March 1881.







7



William C. Herndon that they will warrant generally the one  
land hereby conveyed. Witness the following, signature and seals

John H. Pennington (seal)

Larkin Herndon (seal)

I John A. H. Hyatt a commissioner in chancery for Lee County  
court the same being a court of record do certify that John  
H. Pennington and Larkin Herndon whose names are signed to  
the foregoing bearing date on the 10th day of Oct 1884, per-  
sonally appeared before me in my court as fore said and each  
acknowledged the same to be their / act and deed for the pur-  
pose therein stated. Given under my hand this the 10th day  
of Jan 1885

J. A. H. Hyatt Clerk

Virginia Lee County Court clerks office March the 10th 1885 the  
foregoing the bearing date Oct the 10th 1884 between John  
H. Pennington and Larkin Herndon of the one part and William  
C. Herndon of the other part all of Lee County Va. was this  
day ~~filed~~ filed in this office and admitted to record up-  
on the certificate of J. A. H. Hyatt Clerk for Lee County Va.

Test J. H. Gibson clerk.

Virginia Lee County Copy - Test: J. V. F. Richmond *J.V.F.*  
this day H. L. Pennington personally appeared before me, and  
being public in and for Lee County and sworn affirmed and made  
oath that he had copied the foregoing deed from the records  
of the county court of the said county, and that the same  
is a true transcript thereof. This the \_\_\_\_ day of Feb.  
1885.

J. P.



Deed Book No. 20. Page 100 .

THIS DEED of conveyance made the 5th day of February 1890  
by and between Tobias Hughs and Martha Hughs and Paggie ~~Parsons~~  
Parsons of the first part all of the county of Lee and State  
of Virginia and William C. Herndon <sup>of the Second part</sup> of the county and state  
aforesaid .WITNESSETH That for and in consideration of the  
sum of Eight Hundred dollars in hand paid the receipt is  
hereby acknowledged the parties of the first part do bargain  
sell and convey unto the parties of the second part a certain  
parcel or tract of land lying and being in the county of Lee ~~VA~~  
and State of Virginia situated on Reeds Creek waters of the  
North Fork of Powell's River being Two hundred Acres be the  
same more or less and bounded as follows to wit being, the  
land where <sup>Said</sup> Tobias Hugs now lives and adjoining the land of  
Samuel Parsons , James Quillen and Mathew Zoin and the par-  
ties of the second part to have and to hold forever And the ~~VA~~  
parties of the first ~~VA~~ warrant specially the land hereby  
conveyed Witness the following signature and seal the day  
and date above written

Tobias <sup>his</sup> Hughs (seal)  
Martha <sup>her</sup> Hughs (seal)  
Margaret R. Parsons (seal) <sup>it</sup>

State of Virginia :

County of Lee

I W. M. Parsons a Justice of the Peace for the afore-  
said county and state do certify that Tobias Hughs and  
Martha Hughs his wife and Paggie Parsons <sup>Martha</sup> ~~wives~~ <sup>names</sup> are ~~s~~  
signed to the foregoing deed <sup>Martha</sup> ~~date~~ on the 5th day of February,  
1890 acknowledged the same before me in my county and state



1  
aforesaid to be their act and deed and does not wish to  
retract it. Given under my hand and seal this the 6th day of  
February 1890.

W.M. Parsons J.P.

Virginia Lee County to wit :

In the ~~CLERK~~ office of the clerk of the said county  
May the 6th 1890 this deed was presented and with the certifi-  
cate thereto annexed admitted to record.

Test John R. Gibson clerk

Virginia Lee County to wit :

*A copy - Test S. V. Richmond*  
1. E.W. Pennington, a notary public in and for

the county and state aforesaid, do hereby certify that  
this day E.W. Pennington personally appeared before me and  
made oath that he had copied the foregoing deed from the rec-  
ords of the county court of Lee county on file in the clerk's  
office of the said county and that the same is a true trans-  
cript there from. Given under my hand this the \_\_\_\_ day of  
February, 1894.

\_\_\_\_\_  
W.P.



W. C. Menden

From 1 copy of Book

John Hughes et al

For far copy \$0.30.



Deed Book No 20 page 104

This deed of conveyance made this the 10th day of March 1880 by and between John C. Pennington and Patience Pennington his wife and Martha J. Johns and Mary A. Johns of the county of Lee and state of Virginia and Green R. Pennington and Susan his wife of the county of Perry and state of Kentucky of the first part and and William C. Herndon of the ~~second~~ <sup>of the second part</sup> part of the county of Lee and state of Virginia witnesses each unto for and in consideration of the sum of \$500.00 dollars in hand paid the receipt of which is hereby acknowledged the parties of the first part do hereby grant bargain and sell and convey unto the parties of the second part all of their right and title in the Charles Pennington tract of land lying and being in the county of Lee and state of Virginia on the waters of Jones Creek and bounded as follows to wit: Beginning at a beech and a white oak on the east bank of Reeds / creek thence southerly to a poplar thence <sup>Eastwardly</sup> ~~to a white oak~~ <sup>on</sup> on the top of a ridge thence northerly to white oak on a flat thence northeasterly to a wagon road and then said road south westerly to a beech <sup>near</sup> the mouth of the first hollow near the bank of Jones Creek and with said creek to the mouth of said Creek to Joseph Marcums corner thence westerly with said Marcums line to the Charles Pennington and with said line to the beginning. The parties of the first part do warrant generally the land hereby conveyed the parties of the second part to have and to hold forever. Witness us following signatures and seal this the 10th day of March 1880

John C. Pennington (seal)



Patience ~~/~~Pennington (seal)

Martha J. ~~/~~Robins (SEAL)

Dinah ~~/~~Pennington (seal)

Green R. ~~/~~Pennington (seal)

Mary A. ~~/~~Robins (seal)

State of Virginia County of Lee to wit :

I, F.M. Parsons a justice of the peace for the aforesaid county and state do certify that John C. Pennington and Patience Pennington his wife Martha J. Robins and Dinah Pennington whose names are signed to the foregoing deed bearing date on the 19th day of March 1880, acknowledged the same in my county and state aforesaid to be their act and deed and does not wish to retract it. Given under my hand and seal this the 22nd day of March 1880.

F.M. Parsons J.P.

State of Kentucky County of Perry

I, Ira J. Davidson clerk of the county court ~~/~~for the county and state aforesaid do certify that the foregoing deed of conveyance from John C. Pennington was presented to me in my county aforesaid and acknowledged before ~~/~~me by Green R. ~~/~~Pennington and Susan his wife ~~/~~to be their act and deed and the same is certified to the proper office for record. Given under my hand this the 29th day of March 1880.

Ira J. Davidson Clerk

By G.R. Cornett D.C.

State of Virginia to County to wit :

I, F.M. Parsons, justice of the peace for the aforesaid county and state do certify that Mary A. Robins whose name is ~~/~~signed to the foregoing deed bearing date on the 19th day of ~~/~~



March 1890 acknowledged the same before me in my court, and  
state aforesaid to be her act and deed and does not wish to  
retract it. Given under my hand the 7th day of April 1890

W.M. Parsons J.P.

Virginia Lee County to wit :

In the office of the clerk of the said county, this  
deed was presented and with the certificates thereto annexed  
was admitted to record. Test Jon R. Gibson Clerk.

Virginia Lee County to wit : *A Copy*  
*Teste S. V. F. Richmond*  
This day R.L. Permington personally appeared before me a notary  
public in and for the county and state aforesaid and made  
oath that he had copied the foregoing Deed from the records of  
county court of Lee County on file in the clerk's office of  
said county court, and that the same is a true transcript from  
the said records as he verily believes. Given under my  
hand this the \_\_\_\_ day of Feb. 1890.

\_\_\_\_\_  
J.P.



H. C. Henderson

From copy of deed

John C. Huntington

Free for copy

80, 731



Deed Book No 120 page 112. THIS DEED made this Nov. 10th 1889  
by and between M.C. Parsons of the first part and X Craig  
Harndon of the second part both of the county of Lee and state  
of Virginia. Witnesseth that the party of the first part  
together with bargain sell and convey unto X the party of the sec-  
ond part his undivided interest in ~~XXX~~ Charles Pennin-  
ton deceased estate that he bought of Anderson Robins and  
wife heirs of aforesaid Charles Pennington Decd for the sum  
of one hundred dollars in hand paid the receipt of which  
is hereby acknowledged. the aforesaid M.C. Parsons binds him-  
self <sup>generally</sup> warrant the land hereby conveyed with all of its appur-  
tenances together. Witness my hand and seal day and year  
first written M.C. Parsons (seal)

Virginia Lee County to wit

I, V.W. Kelly, notary public for the aforesaid county do  
to certify that the M.C. Parsons whose name is signed to the  
above deed bearing date Oct. 9<sup>th</sup> 1889, personally appeared before  
me in my county aforesaid and acknowledged his signature on  
this deed to be correct for the purpose mentioned in the above  
deed. Given under my hand this Nov. 9<sup>th</sup> 1889

V.W. Kelly N.P.

Virginia Lee County to wit: In the office of the clerk of the  
said county, May the 10th 1890, this deed was presented and  
with the certificate thereon annexed admitted to record

Test John H. Whinn, clerk

Virginia Lee County, Town of: *A Copy Lests: J. W. Richmond*  
This day personally appeared before me, J.W. Pennington

notary public in and for the county aforesaid, J.W. Pennington  
and made oath that the foregoing copy is a true transcript  
of the record on file in the county court clerk's office.  
Sworn before me this Feb. 1890

N.P.



A. C. Hummel

From 2 copy of Aud

M. C. Parson

For copy \$0.25



Deed Book No. 25 Page 163 .

THIS DEED made this the 30th day of July 1869 between  
*Larkin Herndon one*  
John B. Pennington of the first part and William C. Herndon of  
the ~~second~~ part J. B. Pennington now a resident of Hawkins  
County Tennessee and the other named parties of Lee county  
Virginia . Witnesseth that in consideration of the sum of  
\$50 .00 fifty dollars in hand paid the receipt of *whereof* is  
hereby acknowledged the said John B. Pennington and L. Herndon  
do grant bargain/ and sell unto the said / William C. Herndon  
a certain tract or parcel of land lying and being in the county  
of Lee state of Virginia it being the remaining part of a ~~part~~  
tract of land assigned to John Pennington Sr. by Commis-  
sioners it being a part of the ~~the~~ *original* ~~the~~ *original*  
way bounded as follows to wit: BEGINNING at the mouth of Jones  
creek crossing the North Fork of Powell's River southwardly  
up the North side of Stone Mountain with partition line to  
the top of said mountain thence eastwardly with the top of ~~the~~  
same with the varying meanders thereof *original* to the Grade line  
and with line thereof northwardly to the North Fork of Powell's  
River thence westwardly with the main and varied meanderings  
thereof to the beginning . And the aforesaid John B. Pennington  
and Larkin Herndon do covenant and agree with with the said  
William C. Herndon do warrant generally the land hereby con-  
veyed with all of its appurtenances . Witness the following si-  
gnatures and seals . The number of acres not known but  
by the boundary be the same more or less

John B. Pennington (seal)

Larkin Herndon (seal)

Virginia Lee County do wit :

1. John A. G. Hyatt clerk *of* for the circuit court for  
Lee county State aforesaid do hereby certify that John B.



Pennington and Larkin Harndon whose names are signed to the foregoing deed bearing date on the 10<sup>th</sup> July 1889 each personally appeared before me and acknowledged the same to be their act and deed for the purposes therein stated.

Given under my hand this 7<sup>th</sup> Sept 1889

J.A.G. Hyatt clerk

Virginia Lee County to wit &:

In the office of the clerk of the said county, May the 3<sup>rd</sup> 1890 this deed was presented and with the certificate thereto annexed admitted to record.

Teste John R. Gibson Clerk

Virginia Lee County

Copy - Teste D.W. Richmond  
Clerk

This day R.L. Pennington personally appeared before me a notary public in and for the county and State aforesaid and made oath that he had copied the foregoing deed from the records of the county court of Lee County on file in the said county court clerk's office, and that the same is a true transcript from the said records.

Sworn before me this the \_\_\_\_ day of Feb. 1894.

\_\_\_\_\_  
H.P.



W. C. Henderson

From { Copy of Recd  
The B. K. M. G. L. of  
The far Copy of 1.30







Virginia, Lee County, -- to wit :

I John A. G. Hyatt, com'r in Ch. for Lee County, do hereby certify that John C. Stapleton, whose name is signed to the foregoing, and dated March the 7th 1887 personally appeared before me in the said county, and acknowledged said writing to him and said date, given under my hand this 7th day of March 1887.

J. A. G. Hyatt, com'r do.

Virginia Lee County, to wit: I John A. G. Hyatt commissioner in chancery for Lee County do hereby certify that Alminda Stapleton wife of John C. Stapleton whose name are signed to the foregoing and dated March the 7th 1887 personally appeared before me in the County aforesaid and being examined by me privately and apart from her husband and having she fully explained to me her said declaration she has willingly signed and executed the same and did not wish to retract the same (Given under my hand and seal this 7th day of August/A. 1888.

John A. G. Hyatt, Com in ch

clerk of Lee County, Va.

Virginia Lee County Clerk's Office, Feb. 7th 1888

The foregoing and bearing date March the 7th 1887 has between John C. Stapleton and Alminda his wife of the first part and W. C. Harrison of the second part all of Lee County Va. was this day filed in the clerk's office and ordered to record upon the foregoing certificate of John A. Hyatt A com'r in chancery for Lee County Va.

Test John H. Gibson, clerk

A Copy Teste: J. V. F. Richmond  
Clerk



A. C. Henderson  
From } Dead Copy  
John C. Stoddard  

---

For far Copy \$0.50  

---



Personally appears before me U.S. Marshal at O.C. Commission  
at James H. Hobins and his wife Rebecca Hobins on the 21st day of

Mr James H. Hobins and his wife Rebecca Hobins do not sell - none



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L. C. Younger  
vs. } In Chy-  
H. C. Sturges et al

Copy of Dues

To  
H. C. Sturges  
From  
John C. Pennington  
John B. Pennington  
Larkin Sturges  
John S. Hughes  
John C. Sturges  
Reuben Sturges  
M. C. Parsons

From  
H. C. Sturges

To,  
Louis P. Parsons  
Wm. Woodward

The Jar Copy

Examine 17 \$4 50



In the Clerk's Office of the Circuit Court of the County of  
*Lee* on the *1st* day of *January* 18*93*

against

*L. B. Younger*

Plaintiff

*In Chancery*

*W. C. Herndon et al*

Defendant

The object of this suit is to *1st* to set aside and annul the deed of *W. C. Herndon* *this wife to David P. Parsons dated March 14th 1893; 2nd* to set aside and declare void the deed made by *W. C. Herndon & wife to Wm. Woodward dated Novr 10th 1893; 3rd* to annul the transfer of goods & chattels made by *W. C. Herndon to John P. & Larkin Herndon* on or about *Novr 10th 1893* and *4th* that a judgment be given in favor of the Plffs against the Defendants for the amount mentioned in the bill & the same be satisfied out of said property, *thru* counsel. And an affidavit having been made and filed that the defendant *W. C. Herndon* is

not a resident of the State of Virginia, it is ordered that *he* do appear here, within *fifteen days* after due publication hereof, and do what may be necessary to protect *his* interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the *Lee County Republican*, and that a copy be posted at the front door of the court-house of this *County* on the first day of the next term of the *County* Court.

A copy—Teste:

*Pennington Bros*

p. q.

*A. B. Munsey*

Clerk.



L. C. Younger

vs.

}

ORDER OF  
PUBLICATION.

W. B. Herndon et al  
 vs. A. B. Munnery clerk of  
 the circuit court do  
 certify that I delivered  
 to the Lee County Repub-  
 lican the within order  
 on the 1st day of January  
 1894 for publication, and  
 posted a copy thereof at  
 the front door of the Court  
 house at the January  
 Term 1894 of the county  
 Court  
 A. B. Munnery clk

|                |      |
|----------------|------|
| Spa            | 50   |
| Copies         | 150  |
| Proof          | 18   |
| Notice         | 15   |
| Print          | 18   |
| Ally           | 10   |
| Quota          | 1.50 |
| Cost of        | 36   |
| Copies         | 60   |
| Ally           | 25   |
| File           | 15   |
| Certify        | 25   |
| Order of       | 50   |
| for            | 1.50 |
| Cost           | 36   |
| File Dep       | 15   |
| " Exp          | 15   |
| Totaling costs | 40   |
|                | 8.28 |

36.50  
 8.28  
 44.78  
 4.50  
 3.00  
 18.00  
 8.28  
 82.80



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*W. B. Ferndon*  
*Larkin Ferndon, John P. Ferndon, William Woodward*  
*and John W. Stofleton and David Parsons*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *10<sup>th</sup>* Monday in *January*, 189*8*, to answer a bill in Chancery, exhibited against *Tham* in our said court by *N. C. Jaeger*

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,

the *8* day of *Dec*, 189*8*, and in the *11* year of the Commonwealth.

*A Copy Teste*

*A B Munsey* Clerk.

*A B Munsey clk*



The proper affidavit having been made and filed the officer executing this summons is directed to attach the following real estate of W. C. Herndon, all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to-wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 33 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po. to a White oak and Chestnut, thence N. 35 W. 42 po. to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed Book No 25.-168.

*W B Murray*

U.S. }  
SUBPENA  
IN CHANCERY.

p. q.

To ..... Rules,

Circuit Court.

Executed Dec., 1893 by delivering an office copy of the within subpoena in chancery and attached as to all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to-wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 33 W. 42 po. to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed Book No 25.-168.



# The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *W. C. Munder, Larkin Munder*  
*John P. Munder, William Woodward, Louis*  
*P. Parson & John C. Stopletan & David*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said  
Court on the *10th* Monday in *January*, 189*4*, to answer a bill in Chancery,  
exhibited against *them* in our said court by *S. C. Zenger*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,  
the *8* day of *Dec*, 189*8*, and in the *11* year of  
the Commonwealth.

*A B Munsey* Clerk.



The proper affidavit having been made and filed the officer executing this summons is directed to attach the following real estate of W. C. Herndon, all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 33 W. --- go to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed Book No 25.-163.

*A. B. Munnery Clerk*

*L. C. Clainger*

U.S.  
SUBPOENA  
IN CHANCERY.

*W. C. Herndon et al*

*Pennington Corp. q.*

*To A. B. Munnery*  
1894  
Rules,

Circuit Court.

*Shaw 50 copies 1.50 Dec 17 18*

*L. C. Clainger. 8-26*

To the Sheriff,  
Executed Dec 17 1893 by delivering an office copy of the within subpoena in chancery and attachment to John P. Herndon, Larkin Herndon, John C. Stapleton, Wm. Woodard and David P. Parsons and not executed as to all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 33 W. --- go to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed Book No 25.-163.



In the Clerks Office of the Circuit Court of the county of Lee on the 1st day of January 1894.

L. C. Younger

Plff

against

In Chancery

W. C. Herndon et al Defs

The object of this suit is to 1st to set aside and annul the deed of W. C. Herndon and his wife to David P. Parsons dated March 14th 1893; 2nd to set aside and declare void the deed made by W. C. Herndon and wife to Wm Woodward dated Nov'r 10th 1893; 3rd to annul the transfer of goods and chattels made to W. C. Herndon to John P. and Larkin Herndon on or about Nov'r 10th 1893; and 4th that a judgement be given in favor of the plff against the defendant for the amount mentioned in the bill and the same be satisfied out of said property thereby conveyed.

And an affidavit having been made and filed that the defendant W. C. Herndon is not a resident of the State of Virginia it is ordered that he do appear here within fifteen days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy be published once a week for four weeks in the Lee County Republican and that copy be posted at the front door of the court house of this county on the 1st day of the next term of the county court.

A copy—Teste:

A. B. Muses Clerk

Pennington Bros. p. q.

q 13

I M. P. Dryden & Sons publ

isher of the LEE COUNTY REPUBLICAN a weekly newspaper, published in the town of Jonesville, county of Lee, and State of Virginia, do hereby certify that the foregoing Order of Publication was duly published in the above named paper for four successive weeks, ending the

1st day of Feb 1894.

for Sam L. Dryden

Publisher, LEE COUNTY REPUBLICAN